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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b> |  | ATTORNEY'S DOCKET NUMBER<br>6580P0040US                      |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP2004/004982  |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>10/556140 |
| INTERNATIONAL FILING DATE<br>May 10, 2004   |  | PRIORITY DATE CLAIMED<br>May 9, 2003                         |
| TITLE OF INVENTION      Sample Depositing Device For A Cell Sorter  |  |  |
| APPLICANT(S) FOR DO/EO/US      Müller, et al.   |  |  |

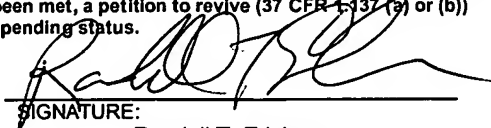
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: English translation of the International preliminary report on patentability

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|--|--------------|---|--------|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/556140</b>  |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2004/004982</b>                     |        | ATTORNEY'S DOCKET NUMBER<br><b>6580P0040US</b> |              |
| The following fees have been submitted   |              |   |        | CALCULATIONS                                   | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee .....  |              |   |        | \$   |              |
| 22. <input type="checkbox"/> Examination fee   |              |   |        |  |              |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....   |              |   |        | \$   |              |
| All other situations .....   |              |   |        | \$   |              |
| 23. <input type="checkbox"/> Search fee  |              |   |        |  |              |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....  |              |   |        | \$   |              |
| International Search Report prepared and provided to the Office .....  |              |   |        | \$   |              |
| All other situations .....   |              |   |        | \$   |              |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |   |        | \$   |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |        |  |              |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE   |  |              |
| - 100 =  | /50 =        |   | x \$   |  |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).  |              |   |        | \$   |              |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE   |  |              |
| Total claims   | =            | x   | 50.00  | \$   |              |
| Independent claims   | =            | x   | 200.00 | \$   |              |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable) 0  |              |   | +      | 360.00   | \$           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |        | \$   |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |        | \$   |              |
| <b>SUBTOTAL =</b>  |              |   |        | \$   |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |              |   |        | +  | \$           |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |        | \$   |              |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |        | +  | \$           |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |        | \$   |              |
|  |              |   |        | Amount to be refunded:                         | \$           |
|  |              |   |        | Amount to be charged:                          | \$           |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2970</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>The Law Office of Randall T. Erickson, PC<br/>425 W. Wesley St., Suite 1, Wheaton, IL 60187</p> <p style="text-align: right;"> <br/>       SIGNATURE: _____<br/>       Randall T. Erickson<br/>       NAME _____<br/>       _____<br/>       REGISTRATION NUMBER     </p> <p>CUSTOMER NUMBER: 41528 <span style="float: right;">33,872</span></p> |              |   |        |  |              |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNITED STATES RECEIVING OFFICE (RO/US)

Applicant: Müller, et al.  
Int'l Application No.: PCT/EP2004/004982  
Int'l Filing Date: May 10, 2004  
For: Sample Depositing Device For A Cell Sorter  
Atty. Docket No. 6580P0040US

**Mail Stop PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313**  
**Attn: US/RO**

**CERTIFICATE OF FACSIMILE/MAILING**

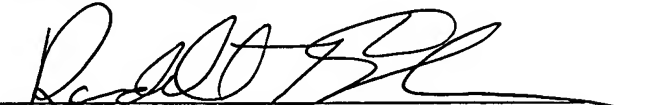
Date of Fax/Mailing: June 1, 2006

I hereby state that the following *attached* papers or fees

Transmittal Letter Under 35 USC 371 (2 pages)  
English translation of the International preliminary report (9 pages)

are being faxed/mailed to the Commissioner for Patents at (703) 305-3230/ P.O. Box 1450  
Alexandria, VA 22313 on the date indicated above.

Randall T. Erickson

  
Signature of person faxing/mailing papers